

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Public Services – Town and Country Planning Department – Setting aside the proceedings of DTCP showing the 4 TPBOs working in Zone-VI in the Seniority list of Zone– II against the Presidential Order – Orders – Issued.

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**MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (B2) DEPARTMENT**

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**G.O. Rt. No. 1395**

**Dated: 20-10-2009**

**Read the following:-**

1. Circular Memo.No.9473/2008/M-3, dated 31-1-2009 of DTCP.
2. Memo Roc.No.9473/2008/M3-1, dated 08-5-2009 of DTCP.
3. Memo Roc.No.9473/2008/M3-2, dated 08-5-2009 of DTCP.
4. Memo Roc.No.9473/2008/M3-3, dated 08-5-2009 of DTCP.
5. Memo Roc.No.9473/2008/M3-4, dated 08-5-2009 of DTCP.
6. DTCP Proceedings Roc.No.4485/2008/M3-6, dated: 11-6-2009.
7. Representations of Sri V.B Srinivasa Rao, Sri I. Veeraswamy, Sri K. Venkateswara Rao, Sri N.Satyanarayana, TPBOs.
8. Orders of APAT in O.A. No. 6661/2009, O.A. No. 6679/2009, O.A. No. 6701/2009 and O.A. No. 6702/2009, dated 15-6-2009.
9. Circular Memo. No. 9543/MC/2007-7, dated 21-6-2007.
10. From the DTCP, Lr. Roc. No. 9473/2008/M3, dated 29-6-2009.
11. From the C & DMA, Lr.Roc.No.13775/2009-J2, dated: 29-9-2009.
12. U.O. Note. No. 36083/MC.II/2008-2 dated: 29-8-2009.



In the reference 1<sup>st</sup> read above, the Director of Town & Country Planning, A.P., Hyderabad have communicated the Zone wise provisional seniority list as on 31-12-2008 appended to the memo in the category of Town Planning Building Overseers subject to pending localization of various cadre posts in the department by the Government in respect of implementation of Presidential Orders and called for objections from the Town Planning Building Overseers.

2. On the above proceedings, Sri V.B. Srinivasa Rao, Sri I. Veeraswamy, Sri K. Venkateswara Rao, Sri N.Satyanarayana, Town Planning Building Overseers filed objections. In the references 2<sup>nd</sup> to 5<sup>th</sup> read above, the Director of Town & Country Planning, A.P., Hyderabad in his proceedings has informed that the matter has been examined in detail and rejected the objections of the individuals.

3. Against the proceedings of Director of Town & Country Planning, A.P., Hyderabad, the above four individuals were filed an appeal before the Government to include their names in Zone-VI seniority list as per their initial appointments duly deleting their names in the Zone-II seniority list.

4. In the meanwhile, the Director of Town & Country Planning, A.P., Hyderabad has issued orders promoting the Town Planning Building Overseers of zone-VI to the post of Town Planning Supervisors as per the provisional seniority list which was already communicated without considering their names in the zone-VI.

5. Aggrieved by the above proceedings of Director of Town & Country Planning, A.P., Hyderabad, the individuals have filed O.As in the Hon'ble APAT and the APAT in its orders dated:15-6-2009 in the O.As 8<sup>th</sup> read above has directed the 1st respondent (Government) to dispose off the appeals filed by the applicants against the impugned seniority list issued by the 3rd respondent (DTCP) in Memo. Roc. No. 9473/2008/M3-8 dated 8-5-2009, before confirming the zone- wise seniority list of Town Planning Building Overseers, and pass appropriate orders within a period of four

weeks from the date of receipt of order and communicate the same to the applicants, and any promotions to the post of Town Planning Supervisor, if given before the finalization of the appeals filed by the applicants, shall be reviewed in accordance with the orders passed by the appellate authority.

6. In the reference 10<sup>th</sup> read above, the Director of Town & Country Planning, A.P., Hyderabad has stated that as per the instructions issued by General Administration (MC) Department and as per study certificates produced by the four candidates, the local status of the four candidates is zone-II. Hence, the request of the candidates for inclusion in zone-VI was rejected.

7. In the reference 11<sup>th</sup> read above, the Commissioner & Director of Municipal Administration, A.P., Hyderabad has stated that after examining the representations of the individuals furnished by the Government, it is observed that the seniority of the individuals have been changed from Zone-VI to Zone-II basing on the local status (study certificates) but not on the grounds of being identified as excess non-locals in terms of G.O. Ms. No. 674 General Administration Department, dated 20-10-1975, which is not correct. Further, Commissioner & Director of Municipal Administration, A.P., Hyderabad stated that no Town Planning Building Overseers were identified as excess non-locals as per the Government Memo. No. 9543/MC/2007-7 MA, dated 21-6-2007. As seen from the letter dated 29-6-2009 of DT&CP and representations of the individuals, it is observed that the individuals, though belong to Zone-II, have not been identified as excess non-locals and subsequently no repatriation were made in respect of the individuals. Hence, in the absence of being repatriated, the seniority of the individuals cannot be shown in different zone.

8. In the reference 12<sup>th</sup> read above, the General Administration (MC-II) Department have stated that non-gazetted posts in Department of Town and Country Planning are not organized into local cadres. On the request of Municipal Administration & Urban Development Department proposals were sent to Government of India by General Administration (SPF) Department and orders on the same are awaited. They have also stated that the Law Department have advised that *“Under the proviso to sub-para (1) of para 3 of the A.P. Public Employment (Organisation of Local Cadres and Regularisation of Direct Recruitment) Order, 1975 the local cadres for the posts of Civil Services of the state can be organized after obtaining the approval of the president of India. After obtaining such approval only, the employees can be repatriated to their local cadres in the posts in which they are working.”*

9. Government after careful examination of the appeals and the remarks of Director of Town & Country Planning, A.P., Hyderabad, Commissioner & Director of Municipal Administration, A.P., Hyderabad and General Administration (MC-II) Department observe that:

1. The General Administration Department has identified only 44 employees as excess non-locals in deviation of Presidential Orders. In the said list, no TPBO was identified as excess non-local.

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2. As per the General Administration Department instructions dated: 28-6-2007, the repatriation by way of inter local cadre transfer shall be restricted to the figures communicated by General Administration Department and Head of Department has no power to effect inter-local transfers.
3. The above said individuals were appointed as NMRs, regularized their services in the concerned Municipality, promoted as T.P. Tracer in the said municipality. Hence, the unit of appointment is municipality. Later, they were promoted to the post of TPBOs and they were within the 30% of the cadre strength not reserved for local cadre. Hence, they were not included in the list of excess non-locals identified by the General Administration (MC) Department.
10. Therefore, Government hereby set aside the proceedings of the Director of Town & Country Planning, A.P., Hyderabad in the references 1<sup>st</sup> to 5<sup>th</sup> read above in respect of Sri V.B Srinivasa Rao, Sri I. Veeraswamy, Sri K. Venkateswara Rao, Sri N.Satyanarayana, TPBOs and order to include their names in the seniority list of zone-VI.
11. The Director of Town & Country Planning, A.P., Hyderabad shall take further action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr. C.V.S.K. SARMA**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
 The Director of Town & Country Planning, A.P., Hyderabad.  
 Sri V.B Srinivasa Rao, TPBO, Medak Municipality through Commissioner,  
 Medak Municipality.  
 Sri I. Veeraswamy, Bodhan Municipality  
 Sri K. Venkateswara Rao , Suryapet Municipality.  
 Sri N.Satyanarayana, TPBOs, Serilingampally Circle, GHMC, Hyderabad.  
 Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER